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S P E E C H

OF

HON. SHELBY M. CULLOM,

O F ILLINOIS,

ON

R E C O N S T R U C T I O N :

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, JANUARY 28, 1867.

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W A S H I N G T O N :

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# RECONSTRUCTION.

## SPEECH

OF

### HON. SHELBY M. CULLOM.

The House having under consideration the bill (H. R. No. 543) to provide for restoring to the States lately in insurrection their full political rights—

Mr. CULLOM said:

Mr. SPEAKER: The great question of reconstruction still excites the public mind; it will continue to do so until the late rebellious States are all organized by proper authority into States republican in form. This Government for some time past and still presents an anomalous condition of things; about eleven millions of her people are not represented in the national councils. It may be seriously doubted whether such a state of things can very long exist without great danger to the Republic. At the close of the last session of Congress I hoped and believed that by the time we should assemble here again such a disposition would be manifested by the people of the South as would give the loyal people of the country confidence that the Union which they so nobly struggled to maintain would soon be restored in all its parts. The people, as has been said by other members on this floor, desire peace; they are longing to see the day when peace, harmony, and prosperity shall resume their sway all over the land. But, sir, as in the early days of the rebellion, when they hoped and believed that the rebellion would soon cease, so now they and we are disappointed.

To-day, so far as we can see in the acts and developments of those rebellious people, the signs of returning peace and harmony are no more hopeful than at the adjournment of our last session.

During the last session of this Congress we

sent to the country a proposed amendment to the Constitution of the United States. That amendment embodied principles fit to be made a part of the great Constitution, and essential to the protection of human rights and the perpetuity of the nation. This House and the country know well the wisdom of that amendment. The Legislatures of the loyal States, as they assemble in their respective capitals, ratify it one by one, and declare that they desire it shall become a part of the great charter of American liberty.

While the States whose sons stood by the flag in the late struggle for national existence are giving their consent to the amendment in accordance with the forms of the Constitution, the people of the late rebel States, by their pretended Legislatures, are treating it with scorn and contempt.

They repudiate the action of Congress, and refuse to favor any scheme or proposition not made in the interest of treason. That devotion to the flag which cost this nation so much blood and treasure must be insulted by the representatives of the people who made the sacrifice, or the South will not be satisfied and yield a just obedience to the law. Mr. Speaker, I shall never insult the men in my district and the nation who struggled to save this country for the purpose of reconciling men who labored to destroy the nation, even though such refusal results in the failure to reconstruct this country during the present generation. It is time, sir, that the people of the South were informed in language not to be misunderstood that the people who saved

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this country are going to reconstruct it in their own way, subject to the Constitution, the opposition of rebels to the contrary notwithstanding.

The constitutional amendment will be ratified by three fourths of the States in their practical relations to the Government. It will thus in my judgment become a part of the Constitution. By it the status of all persons born or naturalized on American soil will be defined and protection guaranteed. Representation will be readjusted; the men who have sworn to support the Constitution of the United States and rebelled against it will be deprived of the right to hold Federal or State office; the Federal debt will be held inviolate; the rebel debt will be prohibited; and whether that amendment be spit upon or ratified by the late rebellious people, it will be enforced in all its parts requiring submission—in Illinois and Mississippi, Massachusetts and South Carolina alike.

And, sir, if that submission is not given to the Constitution and laws of the country voluntarily, it should be compelled by the power of the bayonet.

But, Mr. Speaker, after nearly two years have elapsed since the close of the rebellion in its organized form, we find ourselves, as before indicated, with this large southern population, inhabiting the ten unreconstructed States, without representation, and, as at present situated, with no apparent disposition to place themselves in harmony with the loyal people of the country. What shall be done? Where lies the difficulty? Who is at fault? Shall we, as the people's representatives, stand still and fold our arms and wait for that great innovator, time, to work out the problem, or shall we go forward? Shall we shut our eyes to the abuse and murders of loyal men in the South and the continued destruction of their property by wicked men and give them no means of protection when we may? These are questions which we ought all to answer and act as become men capable of discharging the great duties resting upon us. If the statutes of the country are now sufficient to protect the loyal people of these disorganized States of the South from rebel outrage and are not enforced, it is our duty to remove the obstacle wherever it may be. If men, either by the choice of the

people or under the forms of the Constitution, are placed in positions of trust and honor and fail to discharge their duties, the remedy is plain and well defined and should be applied. If more law is necessary let us enact it.

Mr. Speaker, in my judgment it is the duty of this Congress to proceed at once and organize the late rebellious States into States republican in form; but we are told that the governments which took the place of the old State governments of the ten seceded States, as they existed before the war, are republican in form; and when a delegation from Arkansas wait upon the Executive to consult as to the condition of things there, and inquire what they should do to reconstruct that State, we are told that our wise and astute Attorney General pertly tells those gentlemen that the State of Arkansas is already reconstructed, and needs no reconstruction.

Republican in form!—governments formed by the Chief Executive without authority of law and upheld by the military power when deemed proper, and set aside at the suggestion of post commanders of military districts—these State governments, conceived in ignorance, brought forth in confusion, and rocked in the cradle of treason, are to be palmed upon the country as legitimate, and taken into the sisterhood of States as republican in form, with all the rights belonging to great States of the Union.

Sir, Presidents and Attorney Generals may prate about the rights of the States and declare that those organizations are States with all the rights belonging to States whose relations to the Government have never been interrupted. They may prepare vetoes filled with the same stuff and send them to this Capitol to be vetoed by the representatives of the people; yet, sir, the great mass of the people understand that the Executive of the nation has no power to create a State, and that the creation of a State by such hands should be set aside, and States republican in form created by the Department of the Government authorized by the Constitution so to do.

It is the duty, sir, of the law-making power of the Government to see to it that those State governments are republican in form; it is the duty of to-day and we must perform it.

In the first periods of the late war the Gov-

ernment was careful to do nothing to annoy or exasperate the rebels. The brave soldier went to the field with his saber and musket to fight, but with them he carried the orders of his ranking officer protecting to the people in rebellion their property, including slaves. Intent upon the destruction of the Government, the nation's kid-glove policy was turned to the temporary advantage of the enemy, and in the progress of time and events we learned that war, destructive, bloody war for liberty, was the war essential to save the nation and claim the respect of the world. Such a war was conducted under the changed policy of the Government, the soldiers of the Union triumphed, and the rebellion ended.

When we began to consider the great subject of the reconstruction of the rebellious States at the last session of Congress we counseled moderation and great liberality toward the people over whom the nation had triumphed in arms. A brave people always desire to escape the charge of want of generosity to a beaten foe. And then it was hoped that such a course would tend to encourage a spirit of loyalty to the Government and harmony among the people of the different sections. If any class of men had a right to complain of our action that portion of the people of the South who had all through the war been true to the flag had the right to complain. While they had given their strong arms and blood to save the nation, which had been the house of bondage to them, in the work of reorganizing they were passed by and given no voice.

They had the right by all that is just and righteous to demand that in the recreation of the States in which they lived they should have the right to be heard.

But, sir, so far as the amendment is concerned, we closed our eyes and passed them by, as in the beginning of the war, intent more upon conciliation than doing full and ample justice to the friends of the Government.

As the refusal of the rebels to lay down their arms early in the war resulted in the overthrow of slavery and the freedom of four million slaves loyal to the Government, so will the rejection of the amendment by the people of the South speedily eventuate in the enfranchisement of all those black men who but a

few years ago were declared by the Supreme Court as having no rights which the white man was bound to respect.

It would seem, Mr. Speaker, that the men who have been struggling so hard to destroy this country were and still are the instruments, however wicked, by which we are driven to give the black man justice, whether we will or no.

By the unholy persistence of rebels slavery was at last overthrown. Their contempt of the constitutional amendment now before the country will place in the hands of every colored man of the South the ballot.

Sir, in the creation of States republican in form in the late rebellious States all loyal American citizens born or naturalized on American soil will be allowed to participate. But we are told by the President and by his admirers upon this floor that we are disunionists, because we say that these pretended State governments are not entitled to representation in Congress, and that before their people can be heard here their State governments must be modeled by proper hands and as the Constitution requires them to be.

We are denounced in wholesale terms because we believe that those States should rest a little from the weariness of their struggle to destroy the country before they assume the weighty responsibility of legislating for it. We are characterized as disunionists hanging upon the verge of the Government, as traitors at the other end of the line, by that man upon whom the people of the country have set the seal of condemnation, because we have not been disposed to come here fresh from the people and like hungry curs do the bidding of a man clothed in a little brief authority, not by the people's votes, but by the Constitution and as the result of the misfortunes of the country. Because we do not hasten to admit to representation the people who have buried in patriots' graves three hundred thousand heroes who fell in defense of the flag, and hung the nation in the somber garb of mourning and piled upon the heads of the people the crushing burdens of taxes, we are denounced by that man who became Vice President drunk, President upon the dead body of the great martyr for the cause of liberty, and whose swing around

the circle was only equaled in its claims to contempt by his previous and continued betrayal of his party and the cause of the Union, the prior support of which had secured him the support of the people for Vice President of the United States.

But, sir, I care nothing for the man or his conduct, except so far as they reflect credit or disgrace upon the nation and have their influence for good or evil.

The President and his policy have both alike been condemned, and to-day there are thousands of the men who bared their breasts to the bullets of the foe who are waiting impatiently upon this Congress to remove that man whom they believe to be, above all others, the greatest obstacle in the way of a proper settlement of our national difficulties.

He stands there as the Executive disregarding the voice of the people who saved the country, and that, too, when a majority in the loyal States of about four hundred thousand had declared against his policy. He played his hand and lost the game, and by all the ordinary rules governing the actions of men he should acquiesce in the result.

He does not do so, and as he opposes the ratification of the constitutional amendment, vetoes bills sent to him by Congress, and presses "my policy," the loyal people, black and white, are driven out of the southern States, their property burned and otherwise destroyed, and in many instances the people are murdered by guerrillas and wicked men, and Congress is powerless so long as the laws are not enforced by loyal men.

The ten States must be reconstructed, the loyal men without regard to race or color must control, and if the rebels do not submit voluntarily they must be taught submission by the strong arm of power.

Sir, a few months of proper vigor in the administration of this Government in the right way will settle this whole question, and as it should be.

The people of the South are like other people in some characteristics at least; and when this Government adopts some definite policy and goes forward in its execution, the rebels and all the people of the rebellious States will acquiesce. Their conduct to-day is the legiti-

mate offspring of the treachery of Andrew Johnson to the cause of the Union, in my judgment. The riots and violence of the people of the South in great part are chargeable to Andrew Johnson and his blind zeal for his policy. I do not charge him as desiring and craving the results of his policy, as they developed in the long catalogue of crimes which have been committed by rebels upon Union men in the South; but, sir, before God and the country, I believe that if the President had listened to the voice of the millions of loyal men who sustained the country in its most fiery ordeal, and whose confidence he enjoyed up to the 4th of March, 1865, and had coöperated as the Executive of the nation with that great body of people in the adoption of such measures as they deemed wise, that to-day the southern people would be represented upon this floor and peace and prosperity would prevail all over the land.

But, Mr. Speaker, from what motive we know not, he has taken a different course, and it is for us to do what seems best with all the lights and difficulties before us.

Whatever may be the particular shape of the bill finally agreed upon for the reconstruction of the southern States, I trust that one feature may be incorporated in it, namely, a provision giving thorough protection to loyal men; and, sir, when I say loyal men I mean all loyal men of all grades, shades, and colors; and, sir, in my judgment, there is no means of protecting loyal black men for years to come, in the South except by giving them the ballot. I do not think it would be wise statesmanship to disfranchise all the men who took up arms or otherwise rebelled against the Government. I think, sir, that the leaders of the rebellion should be cut off from participation either in elections or the right to hold office; but there are too many of those who engaged in the rebellion who did it because they were carried along by the force of popular excitement, and not from a disposition to destroy the Union. To disfranchise them all, I think, sir, would not be wise. Render ineligible to Federal office by the ratification of the constitutional amendment the great mass of the leaders of the rebellion; cut them off from participating in the affairs of the country in anywise, State or national; enfranchise the loyal black men; pro-

tect the weak in their support of the country ; place the State organizations in the hands of loyal men, and, sir, the time will soon come when these people will establish peace and good order among themselves.

I shall not, Mr. Speaker, undertake to indicate the minutiae of a bill such as we should pass, but, sir, I think this Congress is fully capable to develop the whole subject and perfect such a bill as will be in accord with the Constitution, with our past action upon this subject, and as will secure protection to all the people, and at the same time, when enforced, organize State governments in those ten late rebellious States republican in form, and enable the people of those States to come here and claim the right of representation in the national Legislature.

Mr. Speaker, there are many good men on this side of the House who entertain fears lest by the passage of a bill to organize these late rebellious States into States republican in form that we shall by so doing adopt the territorial idea so obnoxious to many of our friends.

Sir, I do not favor the theory of dissolving these States into Territories myself, but, sir, they now have no legal governments ; they are without representation ; they placed themselves in the position they occupy by their own perverse and wicked and causeless rebellion ; they destroyed the old State governments under which they were entitled to representation ; they set up governments in the interests of their rebellion ; by the valor of the soldiers of the Union, with Grant and Sherman and Thomas and Sheridan at their head, these organizations were swept away and the people were left without civil governments ; and now, sir, it is our duty to organize them—get them in harmony with the Constitution of the United States. To protect the individual rights of

the people, to produce harmony and good order and prosperity among them ; and, sir, to accomplish these great results I shall labor, and shall not stop long to quibble as to the precise manner in which those objects are attained.

The blood of murdered Union men all over the South calls upon us to act. Union soldiers now in the jails of the South, awaiting trial by rebel courts and juries on charges of murder of citizens of the rebellious States while the soldiers were in line of battle defending the Government and the flag, call upon us to act. The millions of brave men who went at their country's call to give their lives as willing sacrifices upon the altar for their country and liberty, three hundred thousand of whom now sleep in patriots' graves, call upon us to act wisely and quickly upon this great important subject.

Sir, the two hundred and sixty thousand gallant sons of the Prairie State shall not have it to say that they went to the field to save the nation and the Union men of the South from death at the hands of traitors, and after they had done that in war that I, as one of the Representatives of that glorious State, shirked my duty in the Halls of the national Legislature, and those Union men after the war are left to be hunted down by the men with whom they had been contending during the progress of the war.

Then, sir, in conclusion, let us take hold of this bill, and if it is in anywise imperfect let us perfect it, having due consideration for the Constitution of the country, the rights of the people, the future peace and prosperity of the whole land. And let us go forward trusting that, as the instruments of that great Ruler of all men and nations, we may yet place this Government upon the solid foundations of justice, where men may live in peace and prosperity together.

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